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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GOOGLE LLC,

Plaintiff,

vs.

SONOS, INC.,

Defendant.

CASE NO. 3:20-cv-06754-WHA
Related to CASE NO. 3:21-cv-07559-WHA

**[PROPOSED] ORDER GRANTING
GOOGLE LLC'S MOTION FOR
JUDGMENT AS A MATTER OF LAW
AND NEW TRIAL**

1 Before the Court is Plaintiff Google LLC’s (“Google”) Motion for Judgment as a Matter of
 2 Law and New Trial pursuant to Fed. R. Civ. P. 50(b) and Fed. R. Civ. P. 59 as to the invalidity of
 3 the asserted claims of U.S. Patent No. 10,848,885 (the “‘885 patent”) and U.S. Patent No.
 4 10,469,966 (the “‘966 patent”), non-infringement of claim 1 of the ‘885 patent by Google’s new
 5 design, and damages for any infringement of claim 1 of the ‘885 patent.

6 Having considered the motion and the papers submitted, having heard the arguments of
 7 counsel, and good cause appearing therefore, the Court finds as follows:

8 [] Google’s Motion for Judgment as a Matter of Law is GRANTED. No reasonable
 9 jury could have found (1) that the asserted claims of the ‘885 and ‘966 patent valid over the Sonos
 10 2005 System in view of Sonos Forums, the Sonos 2005 System in view of Sonos Forums and
 11 Squeezebox, and the Sonos 2005 System in view of Sonos Forums and Nourse; (2) that Google’s
 12 new design infringes claim 1 of the ‘885 patent, and/or (3) that the damages awarded should be any
 13 higher than \$2.25 million.

14 [] Google’s Motion for a New Trial is hereby GRANTED. Google is entitled to a new
 15 trial on the issues of invalidity of the ‘885 and ‘966 patents, infringement of claim 1 of the ‘885
 16 patent by Google’s new design, and damages for any infringement of claim 1 of the ‘885 patent. In
 17 the alternative, on the issue of damages, Sonos may elect to accept remittitur of the jury’s excessive
 18 and unsupported damages award to \$2.25 million.

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20 IT IS SO ORDERED.

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23 DATED:

24 The Honorable William Alsup
 25 United States District Court Judge

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